

IN RE: PETITION FOR RESIDENTIAL VARIANCE\* BEFORE THE  
E/S Velvet Valley Way, 770' NW  
of the c/l of Park Heights Ave. \* ZONING COMMISSIONER  
(2400 Velvet Valley Way)  
3rd Election District \* OF BALTIMORE COUNTY  
3rd Councilmanic District \* Case No. 92-52-A  
Melvyn Goldman, et ux  
Petitioners

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance from Section 202.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a building to lot line setback of 10 feet in lieu of the required 20 feet for a proposed addition in accordance with Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 12th day of September, 1991 that the Petition for Residential Variance Section 202.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a building to lot line setback of 10 feet in lieu of the required 20 feet for a proposed addition, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2) Petitioner shall not allow or cause the proposed addition to be converted to a second dwelling unit and/or apartments.

3) Upon request and reasonable notice, Petitioners shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order in the event it becomes necessary to do so as a result of a complaint.

JRH:bjs

*J. Robert Haines*  
J. ROBERT HAINES  
Zoning Commissioner  
for Baltimore County

- 2 -

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

887-3353

September 12, 1991

Mr. & Mrs. Melvyn Goldman  
2400 Velvet Valley Way  
Owings Mills, Maryland 21117

RE: PETITION FOR RESIDENTIAL VARIANCE  
E/S Velvet Valley Way, 770' NW of the c/l of Park Heights Avenue  
(2400 Velvet Valley Way)  
3rd Election District - 3rd Councilmanic District  
Melvyn Goldman, et ux - Petitioners  
Case No. 92-52-A

Dear Mr. & Mrs. Goldman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Residential Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

*J. Robert Haines*  
J. ROBERT HAINES  
Zoning Commissioner  
for Baltimore County

JRH:bjs

cc: People's Counsel

File

## AFFIDAVIT

IN SUPPORT OF RESIDENTIAL ZONING VARIANCE

92-52-A

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently or upon settlement will reside at \_\_\_\_\_  
2400 Velvet Valley Way, Owings Mills, Maryland 21117  
(Address)

That based upon personal knowledge, the following are the facts upon which I/we base the request for a Residential Zoning Variance at the above address: (indicate hardship or practical difficulty)  
The area selected for the master bath is the only location available to be consistent with the design and layout of the house. The only lot that is impacted by this addition is lot #7. The owner of lot #7 has signed a statement on one copy of the Variance Plat, saying he has no objection to the addition.

That Affiant(s) acknowledge(s) that if protest is filed, Affiant(s) will be required to pay a reporting and advertising fee and may be required to provide additional information.

Affiant (Handwritten Signature)  
Melvyn J. Goldman

Affiant (Printed Name)  
Melvyn J. Goldman

Affiant (Handwritten Signature)  
Rhoda H. Goldman

Affiant (Printed Name)  
Rhoda H. Goldman

STATE OF MARYLAND, COUNTY OF BALTIMORE, to Wit:

I HEREBY CERTIFY, this 12th day of September, 1991, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared \_\_\_\_\_

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

DATE

NOTARY PUBLIC

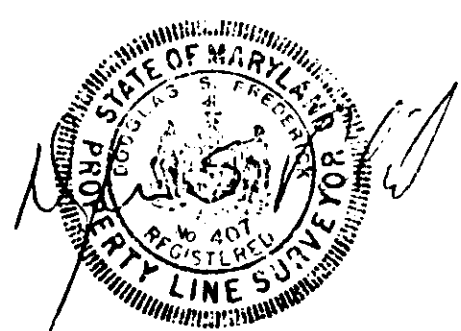
My Commission Expires: 10/27/92

## W. DUVAL & ASSOCIATES, INC.

Engineers • Surveyors • Land Planners

Zoning Description  
Goldman Property  
8/6/91

Beginning at a point on the east side of Velvet Valley Drive which is 50' wide at the distance of 770' northwest of the centerline of the nearest intersecting street, Park Heights Avenue, which is 95' wide. Being Lots 5 and 6, Block D, Section One in the subdivision of Velvet Valley as recorded in the Baltimore County Plat Book 27, Folio 80, containing 4.316 Acs. Also known as 2400 Velvet Valley Way and located in the 3rd Election District.



92-52-A

530 East Joppa Road / Towson, Maryland 21204 / (301) 583-9571

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

887-3353

September 12, 1991

Mr. & Mrs. Melvyn Goldman  
2400 Velvet Valley Way  
Owings Mills, Maryland 21117

RE: PETITION FOR RESIDENTIAL VARIANCE  
E/S Velvet Valley Way, 770' NW of the c/l of Park Heights Avenue  
(2400 Velvet Valley Way)  
3rd Election District - 3rd Councilmanic District  
Melvyn Goldman, et ux - Petitioners  
Case No. 92-52-A

Dear Mr. & Mrs. Goldman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Residential Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

*J. Robert Haines*  
J. ROBERT HAINES  
Zoning Commissioner  
for Baltimore County

JRH:bjs

cc: People's Counsel

File

## CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 3rd Date of Posting: 9-12-91  
Posted for: Residential Zoning Variance  
Petitioner: Melvyn J. Goldman  
Location of property: 2400 Velvet Valley Way, Owings Mills, Maryland 21117  
Location of Sign: 2400 Velvet Valley Way, Owings Mills, Maryland 21117  
Remarks: \_\_\_\_\_  
Posted by: J. Robert Haines Date of return: 9-12-91  
Number of Signs: 2

Baltimore County  
Zoning Commissioner  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Date

Account: R-001-6150  
Number

DATE

HS-2000-01

PUBLIC HEARING FEE

DATE

POSTING FEE

PRICE

DATE

PRICE

DATE

PRICE

04-004#0054#12#RC

BA 0010105A#08-08-91

\$35.00

Please Make Checks Payable To: Baltimore County

## PETITION FOR RESIDENTIAL VARIANCE #66

92-52-A

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, petition for a Variance from Section 202.3 (1955Z.Regs) to allow a setback of 10' from building to lot line in lieu of the required 20' setback.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons (Indicate hardship or practical difficulty):  
The area selected for the master bath is the only location available to be consistent with the design and layout of the house. The only lot that is impacted by this addition is lot #7. The owner of lot #7 has signed a statement on one copy of the Variance Plat, saying he has no objection to the addition.

Property is to be advertised and/or posted as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Variance posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/we do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Engineer:  
Mark A. Kromm, W. Duvall & Associates, Inc.  
(Type or Print Name)

Signature  
530 East Joppa Road  
Towson, Maryland 21204  
City/State/Zip Code

Architect:  
Mark Beck, Beck, Powell & Parsons  
(Type or Print Name)

Signature  
2204 Maryland Avenue  
Baltimore, Maryland 21218

Legal Owner(s):  
Melvyn Goldman  
(Type or Print Name)

Signature  
Rhoda H. Goldman  
(Type or Print Name)

Signature  
2400 Velvet Valley Way (301) 363-6910  
Owings Mills, Maryland 21117  
City/State/Zip Code

Name, address and phone number of legal owner, contract purchaser or representative to be contacted.  
Melvyn J. Goldman  
2400 Velvet Valley Way  
Owings Mills, Maryland 21117 (301) 363-6910

ORDERED by the Zoning Commissioner of Baltimore County, this 12th day of Aug., 1991, that the subject matter of this petition be posted on the property on or before the 12th day of Aug., 1991.

ZONING COMMISSIONER OF BALTIMORE COUNTY

A PUBLIC HEARING HAVING BEEN REQUESTED AND/OR FOUND TO BE REQUIRED, IT IS FURTHER ORDERED by the Zoning Commissioner of Baltimore County, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that the property be reposted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 100, County Office Building in Towson, Baltimore County, on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock, \_\_\_\_\_.

ZONING COMMISSIONER OF BALTIMORE COUNTY

Baltimore County  
Zoning Commissioner  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

receipt

Date \_\_\_\_\_ Account: R-001-6150  
Number \_\_\_\_\_

DATE

HS-2000-01

PUBLIC HEARING FEE

DATE

POSTING FEE

PRICE

DATE

PRICE

ORDER RECEIVED FOR FILING

Date 9/12/91

By JRH

Please Make Checks Payable To: Baltimore County  
BA 0010105A#08-08-91 \$25.00



111 West Chesapeake Avenue  
Towson, MD 21204

August 16, 1991

887-3354

Melvin and Rhoda Goldman  
2400 Velvet Valley Way  
Owings Mills, MD 21117

COPY

Re: CASE NUMBER: 92-52-A  
LOCATION: Directly across Velvet Valley Way from Valley Court on N/S of Velvet Valley Way  
2400 Velvet Valley Way

Dear Petitioner(s):

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Any contact made with this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before August 25, 1991. The closing date is September 9, 1991. The closing date is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an Order will issue. This Order may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by order of the Commissioner), the property will be reported and notice of the hearing will appear in two local newspapers. Charges related to the reporting and advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

Very truly yours,

G. G. Stephens  
(301) 887-3391

BUREAU OF TRAFFIC ENGINEERING  
DEPARTMENT OF PUBLIC WORKS  
BALTIMORE COUNTY, MARYLAND

DATE: September 26, 1991

TO: Mr. Arnold Jablon, Director  
Office of Zoning Administration  
and Development Management

FROM: Rahee J. Famili

SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: August 20, 1991

This office has no comments for item numbers 45, 52, 55, 56, 57, 58, 59, 60, 61 and 63.

*Rahee J. Famili*  
Rahee J. Famili  
Traffic Engineer II

RJF/lvd

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

RECEIVED  
OCT 1 1991  
ZONING OFFICE

TO: ZONING COMMISSIONER, DEPARTMENT ZONING

FROM: RICHARD F. SEIM, PLANS REVIEW CHIEF,  
DEPARTMENT OF PERMITS & LICENSES

SUBJECT: ZONING ITEM #: 60  
PROPERTY OWNER: Melvyn Goldman, et ux

LOCATION: directly across Velvet Valley Way from  
Velvet Valley Ct. on N/S Velvet Valley Way (#2400 Velvet Valley  
Way)  
ELECTION DISTRICT: 3rd  
COUNCILMANIC DISTRICT: 4-4

A REVIEW OF THE SITE PLAN FOR THE ABOVE ZONING ITEM INDICATES THE FOLLOWING:

- ( ) PROPOSED SITE PLAN DOES, DOES NOT, COMPLY TO STATE CODE OF MARYLAND REGULATION 05.02.02, MARYLAND BUILDING CODE FOR THE HANDICAPPED.
- ( ) PARKING LOCATION ( ) RAMPS (degree slope)
- ( ) NUMBER PARKING SPACES ( ) CURB CUTS
- ( ) BUILDING ACCESS ( ) SIGNAGE
- ( ) PLAN DOES, DOES NOT COMPLY TO SET BACKS FOR EXTERIOR FIRE SEPARATION DISTANCE OF ARTICLE 5 AND ARTICLE 9 OF THE CURRENT BALTIMORE COUNTY BUILDING CODE.
- (X) A BUILDING PERMIT IS REQUIRED BEFORE ANY CONSTRUCTION CAN BEGIN. SECTION 111.1 OF ARTICLE 1. CONSTRUCTION DRAWINGS MAY BE REQUIRED.
- ( ) A CHANGE OF OCCUPANCY PERMIT IS REQUIRED TO CHANGE THE EXISTING USE OF THE STRUCTURE TO THE PROPOSED USE. SEE ARTICLE THREE AND ARTICLE ONE, SECTION 103.2 ALTERATIONS MAY BE NECESSARY BY CODE TO COMPLY TO NEW USE REQUIREMENTS.
- ( ) STRUCTURE IS SUBJECT TO FLOOD PLAIN LIMITATIONS. SECTION 517.0 COUNCIL BILL #192-90 (BALTIMORE COUNTY BUILDING CODE).
- ( ) OTHER -

PERMITS MAY BE APPLIED FOR @ ROOM 100, 111 WEST CHESAPEAKE AVENUE, TOWSON, MARYLAND 21204 - PHONE - 887-3900.

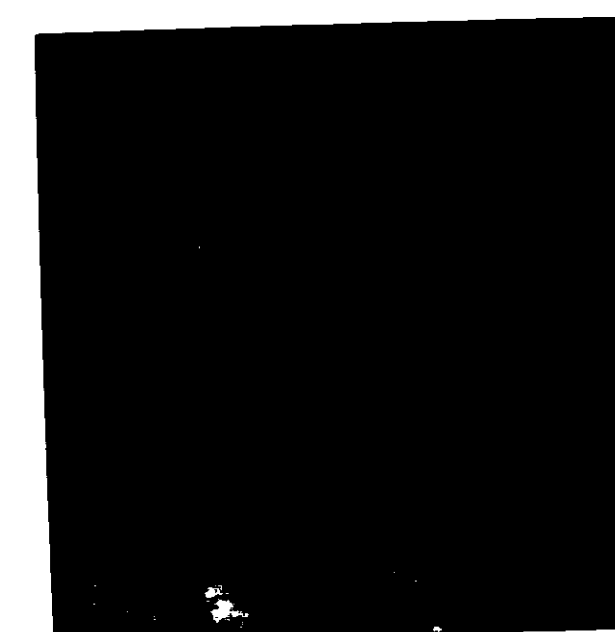
THIS REVIEW COVERS ONLY MAJOR ITEMS ASSOCIATED WITH THE SITE PLAN. A FULL REVIEW MAY BE CONDUCTED WHEN THE PERMIT APPLICATION AND PLANS ARE SUBMITTED.

APPLICABLE CODE: 1990 NATIONAL BUILDING CODES AS ADOPTED BY COUNTY COUNCIL BILL #192-90 EFFECTIVE 1/13/91

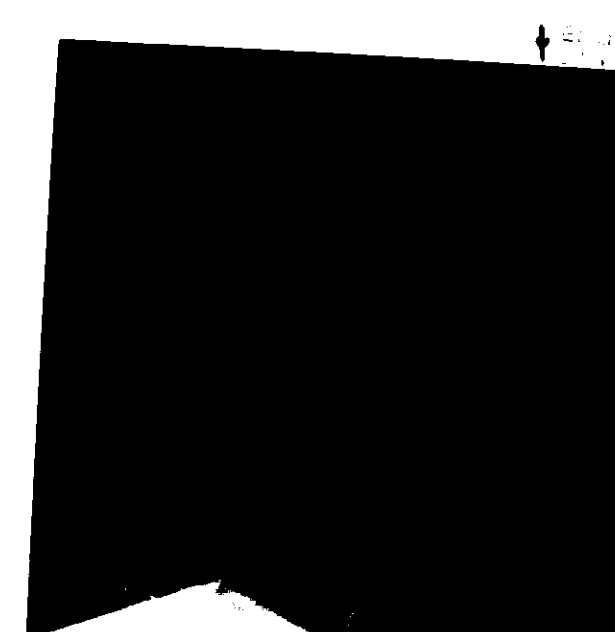
CASE NUMBER

92-52-A

PETITIONER'S EXHIBIT # 3



B



A

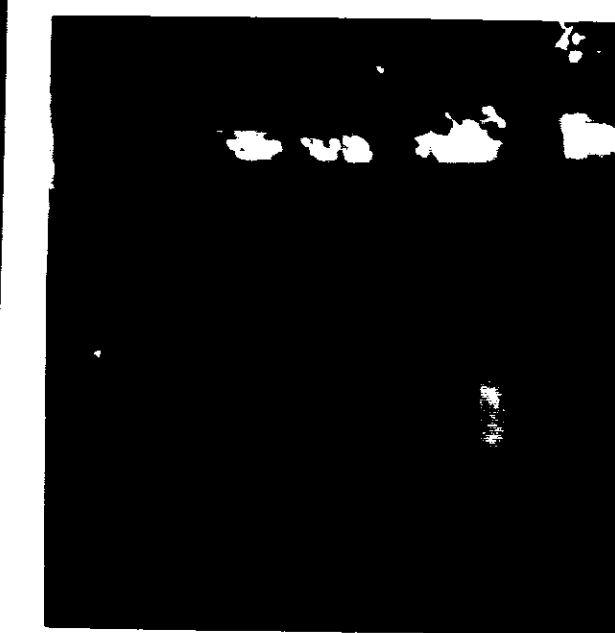


E

CASE NUMBER

92-52-A

PETITIONER'S EXHIBIT # 2



PROPOSED ADDITION WILL BE BUILT



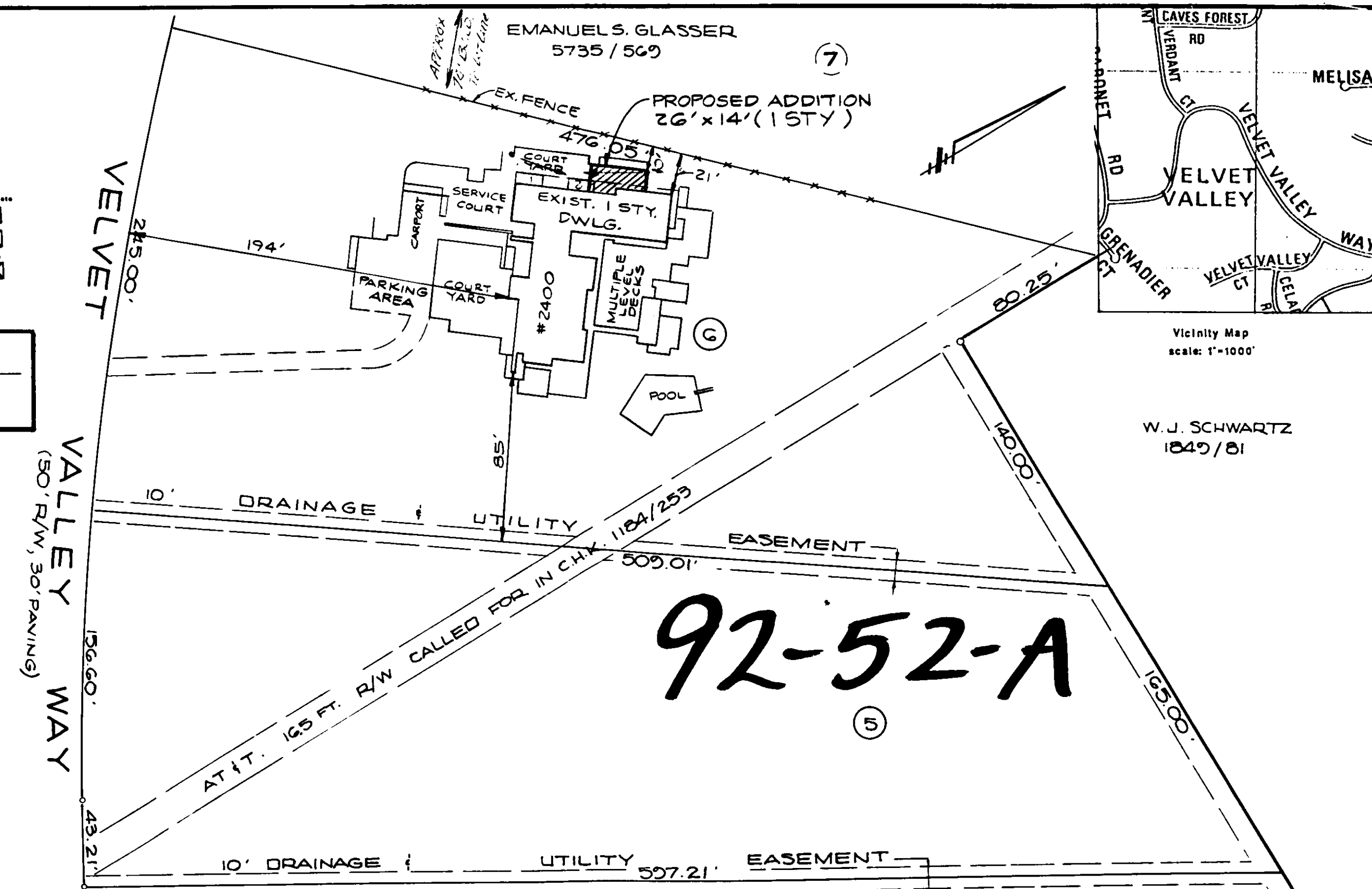
C

LOCATION INFORMATION

Councilmanic District: 3  
Election District: 350  
1"=200' scale map# NW 12-F  
Zoning: RC-5  
Lot size: 4.31G 186005 square feet  
SEWER: ☐ WATER: ☒  
Chesapeake Bay Critical Area: ☐  
Prior Zoning Hearings: NONE

Zoning Office USE ONLY!

reviewed by: ITEM #: CASE#:



Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 2400 VELVET VALLEY WAY

Subdivision name: VELVET VALLEY

plat book# 27, folio# 22, lot# 6, section# 1

OWNER: MR. MELVIN GOLDMAN

DATE: 8-5-91 SCALE: 1/4"=50'



